

REMARKS

Applicants respectfully request entry of the above amendments to claims 86, 92, and 98 in response to the Final Office Action mailed March 21, 2008. Applicants respectfully submit that the amendments and remarks contained herein place the instant application in condition for allowance. Claims 86 – 103 remain pending. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

I. Examiner Interview

Applicants first wish to express their sincere appreciation for the time that Examiner Ouellette spent with Applicants' Attorney, Jeffrey Kuester, during a telephone discussion on June 19, 2008, regarding the outstanding Office Action. During that conversation, Examiner Ouellette and Mr. Kuester discussed potential arguments and the above amendments with regard to claim 86, 92, and 98, in view of U.S. Patent Number 6,298,327 ("*Hunter*") and U.S. Patent Number 6,061,660 ("*Eggleston*"). While no agreement was reached, Applicants respectfully request that Examiner Ouellette carefully consider the above amendments.

II. Rejections Under 35 U.S.C. §103

The Office Action indicates that claims 86 – 103 are rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent Number 6,298,327 ("*Hunter*") in view of U.S. Patent Number 6,061,660 ("*Eggleston*"). Applicants respectfully traverse these rejections on the grounds that the cited references do not disclose, teach, or suggest all of the claimed elements.

Independent claim 86, as amended, recites:

86. A computer-readable medium containing a program for use with a computer for tracking innovation disclosures by an organization as part of a system for managing protection and licensing of intellectual property assets, the program comprising:
- receiving intellectual property asset protection data, wherein
the intellectual property asset protection data includes

protection data corresponding to a plurality of intellectual property assets owned by the organization, wherein each intellectual property asset is defined and maintained as an asset by the existence of legally-enforceable intellectual property protection rights pertaining to that intellectual property asset, wherein the intellectual property asset protection data further includes data associated with a plurality of innovation disclosures, each innovation disclosure associated with one of a plurality of innovators for the organization;

receiving disclosure gift information associated with each innovation disclosure of the plurality of innovation disclosures, wherein the disclosure gift information includes information regarding disclosure gifts purchased by the organization from outside the organization and stocked by the organization for being given to the plurality of innovators for the organization;

responsive to receiving the disclosure gift information associated with each innovation disclosure of the plurality of innovation disclosures, automatically updating an associated balance of stocked disclosure gifts; and

storing the intellectual property asset protection data in an intellectual property asset protection database including a plurality of intellectual property asset protection data records.

(Emphasis added)

Independent claim 92, as amended, recites:

92. (Currently Amended) An apparatus to track innovation disclosures by an organization as part of a system for managing protection and licensing of intellectual property assets, comprising:

logic configured to receive intellectual property asset protection data, wherein the intellectual property asset protection data includes protection data corresponding to a plurality of intellectual property assets owned by the organization, wherein each intellectual property asset is defined and maintained as an asset by the existence of legally-enforceable intellectual property protection rights pertaining to that intellectual property asset, wherein the intellectual property asset protection data further includes data associated with a plurality of innovation disclosures, each innovation disclosure associated with one of a plurality of innovators for the organization;

logic configured to receive disclosure gift information associated with each innovation disclosure of the plurality of innovation disclosures, wherein the disclosure gift information includes information regarding disclosure gifts purchased by the organization from outside the organization and stocked by the organization for being given to the plurality of innovators for the organization;

logic configured to, responsive to receiving the disclosure gift information associated with each innovation disclosure of the plurality of innovation disclosures, automatically update an associated balance of stocked disclosure gifts;
and

logic configured to store the intellectual property asset protection data in an intellectual property asset

protection database including a plurality of intellectual property asset protection data records.

(Emphasis added)

Independent claim 98, as amended, recites:

98. A method for use with a computer for tracking innovation disclosures by an organization as part of a system for managing protection and licensing of intellectual property assets, comprising:
- receiving intellectual property asset protection data, wherein the intellectual property asset protection data includes protection data corresponding to a plurality of intellectual property assets owned by the organization, wherein each intellectual property asset is defined and maintained as an asset by the existence of legally-enforceable intellectual property protection rights pertaining to that intellectual property asset, wherein the intellectual property asset protection data further includes data associated with a plurality of innovation disclosures, each innovation disclosure associated with one of a plurality of innovators for the organization;
 - receiving disclosure gift information associated with each innovation disclosure of the plurality of innovation disclosures, wherein the disclosure gift information includes information regarding disclosure gifts purchased by the organization from outside the organization and stocked by the organization for being given to the plurality of innovators for the organization;***
 - responsive to receiving the disclosure gift information associated with each innovation disclosure of the plurality of innovation disclosures, automatically***

updating an associated balance of stocked disclosure gifts; and

storing the intellectual property asset protection data in an intellectual property asset protection database including a plurality of intellectual property asset protection data records.

(Emphasis added)

Applicant submit that each of the independent claims 86, 92, and 98 are allowable because the above-emphasized features are not included or suggested by *Hunter* or *Eggleston*. The Office Action admits that the above-emphasized elements, without amendments, are not disclosed by *Hunter*. While Applicants continue to maintain that the above-emphasized elements, without amendments, are also not disclosed or rendered obvious by *Eggleston*, Applicants are submitting the above amendments for clarification and to facilitate an early allowance of the present application. More specifically, Applicants submit that neither *Hunter* nor *Eggleston*, alone or in combination, disclose ***"receiving disclosure gift information associated with each innovation disclosure of the plurality of innovation disclosures, wherein the disclosure gift information includes information regarding disclosure gifts purchased by the organization from outside the organization and stocked by the organization for being given to the plurality of innovators for the organization"*** and ***"responsive to receiving the disclosure gift information associated with each innovation disclosure of the plurality of innovation disclosures, automatically updating an associated balance of stocked disclosure gifts,"*** or logic configured to do so. Consequently, Applicants respectfully request that the present application be allowed.

The Office Action indicates that claims 87 – 91, 93 – 97, 99 – 103 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Hunter* in view of *Eggleston*. Applicants respectfully traverse this rejection for at least the reason that *Hunter* in view of *Eggleston* fails to disclose, teach, or suggest all of the elements of claims 87 – 91, 93 – 97, 99 – 103. More specifically, dependent claims 87 – 91 are believed to be allowable for at least the reason that these claims depend from and

include the elements of allowable independent claim 86. Further, dependent claims 93 – 97 are believed to be allowable for at least the reason that they depend from and include the elements of allowable independent claim 92, and dependent claims 99 – 103 are believed to be allowable for at least the reason that they depend from and include elements of allowable independent claims 98. *In re Fine, Minnesota Mining and Mfg. Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, all objections and/or rejections have been traversed, rendered moot, and/or addressed, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and Official Notice, or statements interpreted similarly, should not be considered well-known for the particular and specific reasons that the claimed combinations are too complex to support such conclusions and because the Office Action does not include specific findings predicated on sound technical and scientific reasoning to support such conclusions.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

/jrk/

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